

REMARKS

Upon entry of this response, claims 1-22 and 49-50 are pending. Claims 23-48 have been canceled. Claims 49-50 have been added. No claims have been withdrawn.

Support for new claims 49-50 appears at least at ¶0036.

No new matter has been added by way of this response.

In response to the Office's invention restriction requirement, Applicant elects Group I, encompassing at least claims 1-22, drawn to a liposome comprising (a) a lipopeptide and (b) an inactivated organic nanotube, for prosecution on the merits. Applicant hereby reserves the right to pursue non-elected invention group(s) in subsequent application(s).

In response to the Office's species restriction requirement, Applicant elects to prosecute species "a cyclic D,L- α -peptide". Claims 3-4 and 19-21 encompass the such elected species.

In response to the Office's species restriction requirement, Applicant elects to prosecute species "naturally occurring lipid". Claims 49-50 encompass such elected species.

In response to the Office's species restriction requirement, Applicant elects to prosecute species "activatable inactivated organic nanotube". Claims 5-10 encompass such elected species.

In response to the Office's species restriction requirement, Applicant elects to prosecute species "activatable by a change in pH". Claim 6 encompasses such elected species.

In electing the species above, Applicant requests REJOINDER, under MPEP § 821.04, of the non-elected species claims upon allowance of any generic claims or claims directed to the elected species.

CONCLUSION

Applicant believes that the claim as presented represents allowable subject matter. If the Examiner desires, Applicant welcomes a telephone interview to expedite prosecution. Applicant believes there are no fees due at this time. The Commissioner is hereby authorized to deduct any deficiency or credit any overpayment with respect to this response to Deposit Account No. 19-3140.

Respectfully submitted,

SONNENSCHEIN NATH & ROSENTHAL LLP

By: Joel bock

Joel N.Bock
Reg. No. 36,456
Telephone No. 973.912.7174

ATTORNEYS FOR APPLICANT